

EXHIBIT 1



Homeland
Security

April 9, 2019

MEMORANDUM FOR THE SECRETARY

FROM:

John M. Mitnick
General Counsel

SUBJECT:

Designation of an Order of Succession for the Secretary

Summary: Pursuant to your authority set forth in section 113 of title 6, United States Code, you have expressed your desire to designate certain officers of the Department of Homeland Security (DHS) in order of succession to serve as Acting Secretary. Your approval of the attached document will accomplish such designation.

Discussion:

[REDACTED]

[REDACTED]

Action: By approving the attached document, you will designate your desired order of succession for the Secretary of Homeland Security in accordance with your authority pursuant to Section 113(g)(2) of title 6, United States Code.

Approve/date 

Disapprove/date _____

Modify/date _____

Needs discussion/date _____

Attachment: Annex A

Amending the Order of Succession in the Department of Homeland Security

By the authority vested in me as Secretary of Homeland Security, including the Homeland Security Act of 2002, 6 U.S.C. § 113(g)(2), I hereby designate the order of succession for the Secretary of Homeland Security as follows:

Annex A of DHS Orders of Succession and Delegations of Authorities for Named Positions, Delegation No. 00106, is hereby amended by striking the text of such Annex in its entirety and inserting the following in lieu thereof:

Annex A. Order for Delegation of Authority by the Secretary of the Department of Homeland Security.

1. Deputy Secretary of Homeland Security;
2. Under Secretary for Management;
3. Commissioner of U.S. Customs and Border Protection;
4. Administrator of the Federal Emergency Management Agency;
5. Director of the Cybersecurity and Infrastructure Security Agency;
6. Under Secretary for Science and Technology;
7. Under Secretary for Intelligence and Analysis
8. Administrator of the Transportation Security Administration;
9. Director of U.S. Immigration and Customs Enforcement;
10. Director of U.S. Citizenship and Immigration Services;
11. Under Secretary for Strategy, Policy, and Plans;
12. General Counsel;
13. Deputy Under Secretary for Management;
14. Deputy Commissioner of U.S. Customs and Border Protection;
15. Deputy Administrator of the Transportation Security Administration;
16. Deputy Director of U.S. Immigration and Customs Enforcement;
17. Deputy Director of U.S. Citizenship and Immigration Services;
18. Director of the Federal Law Enforcement Training Center.

No individual who is serving in an office herein listed in an acting capacity, by virtue of so serving, shall act as Secretary pursuant to this designation.

EXHIBIT 2

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

A.B.-B., *et al.*,

Plaintiffs,

V.

Mark A. Morgan, *et al.*,

Defendants.

Civil Action No. 1:20-cv-00846

DECLARATION OF NEAL J. SWARTZ

I, Neal J. Swartz, make the following declaration.

1. I am the Associate General Counsel for General Law, Office of the General Counsel for the U.S. Department of Homeland Security (DHS). I have held this position since June 2013. One of my responsibilities is to advise and assist in matters involving the Department's orders of succession. This declaration is based on my personal knowledge and on information that I have obtained in the course of my official duties as the Associate General Counsel for General Law, DHS.
2. Pursuant to 6 U.S.C. § 113(g)(2) the Secretary of Homeland Security may designate officers of the Department in further order of succession to serve as Acting Secretary.
3. On April 9, 2019, then-Secretary Nielsen was presented a memorandum titled "Designation of an Order of Succession for the Secretary," dated April 9, 2019, that included a proposed new Annex A. (The memorandum is already in the record. *See* Blackwell Decl., Ex. 8, Designation of an Order of Succession for the Secretary (Apr. 9, 2019), ECF No. 17-1). The memorandum and its attachment proposed amending the DHS order of succession to designate officials to serve as Acting Secretary, pursuant to

the Secretary's authority under 6 U.S.C. § 113(g)(2). Then-Secretary Nielsen approved the proposed modification by affixing her signature at the bottom of the memorandum. As explained in that memorandum, her signature below the action line represented that she approved the attached document that modified the order of succession for the Secretary of Homeland Security. The memorandum's attachment established an order of succession for the position of Secretary of Homeland Security, without exceptions or limitations. Specifically, the memorandum's attachment, titled "Amending the Order of Succession in the Department of Homeland Security," stated that then-Secretary Nielsen had "designat[ed] the order of succession for the Secretary of Homeland Security as follows:". The list the then-Secretary approved set out the order of succession for the officials who may serve as Acting Secretary. The list controlled the succession order for every vacancy in the office of the Secretary, no matter the reason for the vacancy.

4. The following day, DHS Delegation No. 00106 was amended to reflect and implement then-Secretary Nielsen's change to the order of succession for the Secretary of Homeland Security. The amendment was executed by placing a new Annex A in DHS Delegation No. 00106. The amended DHS Delegation No. 00106 was then reissued as DHS Delegation No. 00106, Revision No. 8.5 titled "DHS ORDERS OF SUCCESSION AND DELEGATIONS OF AUTHORITIES FOR NAMED POSITIONS," issued December 15, 2016, and updated April 10, 2019. (This document is already in the record. *See* Blackwell Decl., Ex. 3, DHS Order of Succession and Delegations of Authorities for Named Positions, DHS Delegation No. 00106 Rev. 08.6, ECF No. 17-1). DHS Delegation No. 00106 is an administrative document that is periodically updated to consolidate and maintain in a single document the orders of succession for many senior positions in DHS. Modifications to an order of succession are effective immediately

upon the Secretary's approval and signature, and not when those decisions are transposed into DHS Delegation No. 00106 at a later time. As an internal administrative document that is meant to collect the orders of succession, DHS Delegation No. 00106 itself cannot override or change official action taken by the Secretary.

5. When then-Secretary Nielsen resigned, both the Department of Homeland Security Deputy Secretary and the Under Secretary for Management positions were vacant (exhibits 1 and 2).
6. Therefore, then-Secretary Nielsen's signed order amending the DHS order of succession for Acting Secretary, pursuant to her authority under 6 U.S.C. § 113(g)(2), was effective when she signed the order on April 9, 2019, and controls the order of succession should a discrepancy or conflict exist between her signed order and DHS Delegation No. 00106, Revision No. 8.5. In fact, the April 9, 2019 signed order would have controlled the order of succession even if DHS Delegation No. 00106 was never updated to reflect the April 9, 2019 change.
7. The document, attached as Exhibit 1, is a true and correct copy of a memorandum titled "Federal Vacancies Reform Act Submission," issued by the Associate General Counsel for General Law, dated November 19, 2018 with an attachment "Discontinuation of service in an acting role, DHS – Deputy Secretary."
8. The document, attached as Exhibit 2, is a true and correct copy of a memorandum titled "Federal Vacancies Reform Act Submission," issued by the Associate General Counsel for General Law, dated April 11, 2019 with an attachment "Vacancy and Designation of an acting officer, DHS – Under Secretary for Management."

In accordance with 28 U.S.C. § 1746, I declare under the penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Executed this 1st day of June, 2020 in Bethesda, MD.

**NEAL J
SWARTZ**

Digitally signed by
NEAL J SWARTZ
Date: 2020.06.01
14:40:56 -04'00'

Neal J. Swartz
Associate General Counsel
Office of the General Counsel
Department of Homeland Security

EXHIBIT 3

Office of the General Counsel
Department of Homeland Security
Washington, DC 20528

APR 16 2018



**Homeland
Security**

The Honorable Michael R. Pence
President of the Senate
S-212, Capitol Building
Washington, DC 20510

Re: Federal Vacancies Reform Act Submission

Dear Mr. Vice President:

On behalf of the Department, I submit the attached form for a *notice of a vacancy and designation of an acting officer* for a position covered by the Federal Vacancies Reform Act of 1998, Pub. L. No. 105-277 as codified in 5 U.S.C. § 3345 *et seq.*

Should you have any questions or otherwise require agency contact in this matter, please contact Mr. Leo Boucher at (202) 447-3623 or via email at leo.boucher@hq.dhs.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "nswartz".

Neal J. Swartz
Associate General Counsel for General Law

Attachment:
DHS Deputy Secretary Vacancy, Designation as Acting

Submission Under the Federal Vacancies Reform Act

Addressees

- ☒ President of the United States Senate ☐ Speaker of the U.S. House of Representatives ☐ Comptroller General of the United States

This Report Provides Notification of:

- ☒ Vacancy ☒ Designation of acting officer ☐ Nomination ☐ Action on nomination
☐ Change in previously submitted reported information ☐ Discontinuation of service in acting role
(date: _____)

Name of Department or Agency and Any Suborganization

U.S. Department of Homeland Security

Vacancy Title

Deputy Secretary

Date Vacancy Began

04/14/18

Name of Acting Officer

Grady, Claire M.

Date Service Began

04/15/18

Authority for Acting Designation if Other Than Vacancies Act

Name of Nominee for Position

Date Nomination Submitted

Action on Nomination:

☐ Confirmed

☐ Rejected, withdrawn, returned

Date of Action

Agency Contact

Name and Title

Leo E. Boucher III, Asst. General Counsel, Administrative Law, General Law Division

Contact's Address

Department of Homeland Security

Contact's Phone Number

(202) 447-3623

Contact's E-Mail Address

leo.boucher@hq.dhs.gov

Submitted By

Name and Title

Neal J. Swartz, Associate General Counsel for General Law

Telephone Number

(202) 282-8377

Signature



Date

APR 16 2018

For Congressional Use Only

Committee of Jurisdiction

Date Received

For GAO Use Only

GAO Control Number

EXHIBIT 4

Office of the General Counsel
Department of Homeland Security
Washington, DC 20528



**Homeland
Security**

APR 11 2019

The Honorable Michael R. Pence
President of the Senate
S-212, Capitol Building
Washington, DC 20510

Re: Federal Vacancies Reform Act Submission

Dear Mr. Vice President:

On behalf of the Department, I submit the attached form for a *vacancy* and *designation of an acting role* for a position covered by the Federal Vacancies Reform Act of 1998, Pub. L. No. 105-277 as codified in 5 U.S.C. § 3345 *et seq.*

Should you have any questions or otherwise require agency contact in this matter, please contact Mr. Leo Boucher at (202) 447-3623 or via email at leo.boucher@hq.dhs.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Neal J. Swartz".

Neal J. Swartz
Associate General Counsel for General Law

Attachments:

Vacancy & Designation of an acting officer, DHS –Under Secretary for Management

Submission Under the Federal Vacancies Reform Act

Addressees

- ☒ President of the United States Senate ☐ Speaker of the U.S. House of Representatives ☐ Comptroller General of the United States

This Report Provides Notification of:

- ☒ Vacancy ☒ Designation of acting officer ☐ Nomination ☐ Action on nomination
☐ Change in previously submitted reported information ☐ Discontinuation of service in acting role
(date: _____)

Name of Department or Agency and Any Suborganization

U.S. Department of Homeland Security, Management Directorate

Vacancy Title

Under Secretary for Management

Date Vacancy Began

04/10/19

Name of Acting Officer

Charles H. Fulghum

Date Service Began

04/11/19

Authority for Acting Designation if Other Than Vacancies Act

Name of Nominee for Position

Date Nomination Submitted

Action on Nomination:

☐ Confirmed

☐ Rejected, withdrawn, returned

Date of Action

Agency Contact

Name and Title

Leo E. Boucher III, Asst. General Counsel, Administrative Law, General Law Division

Contact's Address

U.S. Department of Homeland Security

Contact's Phone Number

(202) 447-3623

Contact's E-Mail Address

leo.boucher@hq.dhs.gov

Submitted By

Name and Title

Neal J. Swartz, Associate General Counsel for General Law

Telephone Number

(202) 282-8377

Signature



Date

APR 11 2019

For Congressional Use Only

Committee of Jurisdiction

Date Received

For GAO Use Only

GAO Control Number

EXHIBIT 5

Amendment to the Order of Succession for the Secretary of Homeland Security

Section II.A of DHS Delegation No. 00106, *DHS Orders of Succession and Delegations of Authorities for Named Positions*, is amended hereby to state as follows: "In case of the Secretary's death, resignation, or inability to perform the functions of the Office, the order of succession of officials is governed by Annex A."

By the authority vested in me as Secretary of Homeland Security, including the Homeland Security Act of 2002, 6 U.S.C. § 113(g)(2), I hereby designate the order of succession for the Secretary of Homeland Security by amending Annex A of *DHS Orders of Succession and Delegations of Authorities for Named Positions*, Delegation No. 00106. Annex A is hereby amended by striking the text of such Annex in its entirety and inserting the following in lieu thereof:

Annex A, Order for Delegation of Authority by the Secretary of the Department of Homeland Security

Pursuant to Title 6, United States Code, Section 113(g)(2)

1. Deputy Secretary of Homeland Security;
2. Under Secretary for Management;
3. Commissioner of the U.S. Customs and Border Protection;
4. Under Secretary for Strategy, Policy, and Plans;
5. Administrator and Assistant Secretary of the Transportation Security Administration;
6. Administrator of the Federal Emergency Management Agency;

No individual who is serving in an office herein listed in an acting capacity, by virtue of so serving, shall act as Secretary pursuant to this designation.

Dated: 11/08/19



Kevin K. McAleenan
Acting Secretary of Homeland Security

EXHIBIT 6

Order Designating the Order of Succession
for the Secretary of Homeland Security

(a) By any authority vested in me as Acting Secretary of Homeland Security, including the Homeland Security Act of 2002, 6 U.S.C. § 113(g)(2), and notwithstanding any Department of Homeland Security (DHS) prior delegation, directive, instruction, policy, or other document of any kind, including without limitation DHS Delegation No. 00106, I hereby designate the order of succession for the Secretary of Homeland Security as follows:

Order of Succession for the Secretary of Homeland Security
Pursuant to Title 6, United States Code, Section 113(g)(2)

1. Deputy Secretary of Homeland Security;
2. Under Secretary for Management;
3. Commissioner of the U.S. Customs and Border Protection
4. Under Secretary for Strategy, Policy, and Plans;
5. Administrator and Assistant Secretary of the Transportation Security Administration; and
6. Administrator of the Federal Emergency Management Agency.

(b) No individual who is serving in an office listed in paragraph (a) in an acting capacity, by virtue of so serving, shall act as Secretary pursuant to this order.

(c) I am issuing this Order out of an abundance of caution and to minimize any disruption occasioned by a recent Government Accountability Office (GAO) opinion (B-331650 (Comp. Gen., Aug. 14, 2020)) and recent challenges filed in Federal court alleging that the November 8, 2019, order of succession issued by then-Acting Secretary Kevin McAleenan was not valid. I believe that the GAO's opinion and the plaintiff's arguments in those court cases are incorrect and present an unnecessary distraction to the mission of the Department of Homeland Security. Nevertheless, under GAO's view, no Secretary has ever properly invoked 6 U.S.C. § 113(g)(2) "[to] designate such other officers of the Department in further order of succession to serve as Acting Secretary." In that case, the Federal Vacancies Reform Act (FVRA) would provide an alternative basis for an official to exercise the functions and duties of the Secretary temporarily in an acting capacity. As the most senior successor listed in Executive Order 13753, 81 Fed. Reg. 90667 (Dec. 9, 2016), in accordance with the President's advance exercise of his authority to name an Acting Secretary under the FVRA, and without casting doubt on the continued validity of the Amendment to the Order of Succession for the Secretary of Homeland Security issued by Acting Secretary McAleenan on November 8, 2019, I am relying on any authority I may have been granted by the FVRA to designate the order of succession for the Secretary of Homeland Security pursuant to 6 U.S.C. § 113(g)(2), as specified and directed in paragraph (a) of this Order. Upon my signature, any authority that I may have been granted by the FVRA will terminate because 6 U.S.C. § 113(g)(2) applies "[n]otwithstanding chapter 33 of title 5."

(d) This Order Designating the Order of Succession for the Secretary of Homeland Security shall be effective immediately upon the affixing of the signature of the undersigned.

Dated: 10 SEPT 2020

A handwritten signature in blue ink, appearing to read 'PTG', with a long horizontal line extending to the right.

Peter T. Gaynor
Department of Homeland Security

EXHIBIT 7

Department of Homeland Security
DHS Delegation Number: 0106
Revision Number: 08
Issue Date: 12/15/2016

DHS ORDERS OF SUCCESSION AND DELEGATIONS OF AUTHORITIES FOR NAMED POSITIONS

I. Purpose

This is a succession order for named positions and a delegation of authority for the continuity of essential functions of officials at the Department of Homeland Security (DHS) in case of absence, the inability of the incumbent to act during disasters or catastrophic emergencies, or vacancies in offices.

II. Succession Order/Delegation

A. In case of the Secretary's death, resignation, or inability to perform the functions of the Office, the orderly succession of officials is governed by Executive Order 13753, amended on December 9, 2016.

B. I hereby delegate to the officials occupying the identified positions in the order listed (Annex A), my authority to exercise the powers and perform the functions and duties of my office, to the extent not otherwise prohibited by law, in the event I am unavailable to act during a disaster or catastrophic emergency.

C. The order of succession for the named positions, other than the Office of the Secretary, are provided in Annexes B through AD.

D. I hereby delegate authority to the officials occupying the identified positions in the orders listed in Annexes B through AD to exercise the powers and perform the functions and duties of the named positions in case of death, resignation, inability to perform, absence, or inability to act during a disaster or catastrophic emergency until that condition ceases.

E. In terms of named positions in which appointment is required to be made by the President, by and with the advice and consent of the Senate (PAS), if positions are vacant as that term is used in the Federal Vacancies Reform Act of 1998, the First Assistant shall act as the incumbent until a successor is appointed, unless otherwise designated by the President. The individual serving in the position identified as the first to succeed is designated the "First Assistant" for the purposes of the Federal Vacancies Reform Act of 1998. If the First Assistant position is vacant, the next designated official in the order of succession may exercise all the powers, duties, authorities, rights, and functions authorized by law to be exercised by the incumbent, but may not perform any function or duty required by law to be performed exclusively by the office holder.

F. For all other positions that are not subject to the Federal Vacancies Reform Act of 1998, any official in the order provided for in the succession order may exercise all the powers, duties, authorities, rights, and functions authorized to be performed by the incumbent, to the extent not otherwise limited by law.

G. Only officials specifically designated in the order of succession for each of the named positions in Annexes B through AD are eligible, subject to modification in accordance with Section II.I. Unless formally appointed by the Secretary, persons appointed on an acting basis, or on some other temporary basis, are ineligible to serve as a successor; therefore, the order of succession would fall to the next designated official in the approved order of succession.

H. The prohibition on any re-delegation of powers, authorities, functions, and duties contained in Departmental Delegations, Directives, Management Directives, Instructions, Manuals, or similar internal documents is not applicable to restrict the authority of any individual who is exercising the authority of a vacant position under this Delegation. Such an individual shall, however, be bound by such Departmental Delegations, Directives, Management Directives, Instructions, Manuals, or similar internal documents, and shall not further re-delegate powers to any individual.

I. Each Annex may be updated separately. A Component head seeks modification of his/her order of succession by forwarding a proposed updated Annex to the Office of Operations Coordination (OPS), Continuity Division and the Office of the Under Secretary for Management (MGMT), Program Manager, Delegations and Directives; Annexes are processed by MGMT, in consultation with the Office of the General Counsel (OGC), for approval of the Secretary. At a minimum, the Annex is coordinated with OGC and the White House Liaison. Where possible, Component orders of succession should be at least three positions deep and geographically dispersed.

J. The Office of the Executive Secretary, MGMT, and OPS are responsible for maintaining a current list of incumbents holding all positions identified in Annexes B through AD.

K. Nothing in this delegation is intended to limit my discretion as Secretary to depart from this delegation.


III. Authorities

A. Title 5, United States Code (U.S.C.) §§ 3345-49 (Federal Vacancies Reform Act of 1998, as amended)

B. Title 6, U.S.C., § 112 (Secretary; functions)

IV. Office of Primary Interest

OPS and MGMT is the office of primary interest for maintaining and updating the Annexes to this Delegation.



Jeh Charles Johnson
Secretary of Homeland Security

Date

Legend

Career	C
Limited Term Appointment	L
Military Officer	M
Non-Career in the Senior Executive Service or Schedule C	N
Presidential Appointee	P
Presidential Appointee with Senate Confirmation	S
Scientific Professional	T
First Assistant pursuant to the Federal Vacancies Reform Act	*

ATTACHMENT 1

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Annex	Title	Issue Date
Annex A	Order For Delegation of Authority by the Secretary of the Department of Homeland Security	Revision 06, 12/15/2016
Annex B	Deputy Secretary, Office of the	Revision 06, 09/14/2016
Annex C	Citizenship and Immigration Service Ombudsman	Revision 06, 09/14/2016
Annex D	Citizenship and Immigration Services, United States	Revision 06, 09/14/2016
Annex E	Civil Rights and Civil Liberties, Office for	Revision 06, 09/14/2016
Annex F	Coast Guard, United States	Revision 06, 09/14/2016
Annex G	Customs and Border Protection, United States	Revision 06, 09/14/2016
Annex H	Domestic Nuclear Detection Office	Revision 06, 09/14/2016
Annex I	Executive Secretariat	Revision 06, 09/14/2016
Annex J	Federal Emergency Management Agency	Revision 06, 09/14/2016
Annex K	Federal Law Enforcement Training Center	Revision 06, 09/14/2016
Annex L	General Counsel, Office of the	Revision 06, 09/14/2016
Annex M	Health Affairs, Office of	Revision 06, 09/14/2016
Annex N	Immigration and Customs Enforcement, United States	Revision 06, 09/14/2016
Annex O	Inspector General, Office of	Revision 06, 09/14/2016
Annex P	Intelligence and Analysis, Office of	Revision 06, 09/14/2016
Annex Q	Legislative Affairs, Office of	Revision 06, 09/14/2016
Annex R	Management Directorate	Revision 06, 09/14/2016
Annex S	National Protection and Programs Directorate	Revision 08, 07/11/2017
Annex T	Operations Coordination, Office of	Revision 06, 09/14/2016
Annex U	Partnership and Engagement, Office of	Revision 06, 09/14/2016
Annex V	Policy, Office of	Revision 06, 09/14/2016
Annex W	Privacy Office, Chief	Revision 06, 09/14/2016
Annex X	Public Affairs, Office of	Revision 06, 09/14/2016
Annex Y	Science and Technology	Revision 07, 01/19/2017
Annex Z	Secret Service, United States	Revision 06, 09/14/2016
Annex AA	Transportation Security Administration	Revision 08, 07/11/2017
Annex AB	Chief Financial Officer (DHS)	Revision 06, 09/14/2016
Annex AC	Deputy Administrator, Federal Emergency Management Agency (FEMA)	Revision 06, 09/14/2016
Annex AD	Protection and National Preparedness (FEMA)	Revision 06, 09/14/2016

ANNEX A

**ORDER FOR DELEGATION OF AUTHORITY BY THE
SECRETARY OF THE DEPARTMENT OF HOMELAND
SECURITY**

Pursuant to Executive Order 13753 (December 9, 2016)

1. Deputy Secretary of Homeland Security
2. Under Secretary for Management
3. Administrator of the Federal Emergency Management Agency
4. Under Secretary for National Protection and Programs
5. Under Secretary for Science and Technology
6. Under Secretary for Intelligence and Analysis
7. Commissioner of U.S. Customs and Border Protection
8. Administrator of the Transportation Security Administration
9. Director of U.S. Immigration and Customs Enforcement
10. Director of U.S. Citizenship and Immigration Services
11. Assistant Secretary for Policy
12. General Counsel
13. Deputy Under Secretary for Management
14. Deputy Commissioner of U.S. Customs and Border Protection
15. Deputy Administrator of the Transportation Security Administration
16. Deputy Director of U.S. Immigration and Customs Enforcement
17. Deputy Director of U.S. Citizenship and Immigration Services
18. Director of the Federal Law Enforcement Training Center

ANNEX B

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

**DHS ORDERS OF SUCCESSION AND
ORDERS FOR DELEGATIONS OF AUTHORITIES**

Position	Career Status
Deputy Secretary, Office of the	
1 Deputy Secretary	S
2 Under Secretary for Management*	S
3 Administrator, Federal Emergency Management Agency	S
4 Under Secretary, National Programs and Protection Directorate	S
5 Under Secretary, Science and Technology	S
6 Under Secretary, Intelligence and Analysis	S
7 Commissioner, U.S. Customs and Border Protection	S
8 Assistant Secretary/Administrator, Transportation Security Administration	S
9 Assistant Secretary, U.S. Immigration and Customs Enforcement	S
10 Director, U.S. Citizenship and Immigration Services	S
11 Assistant Secretary, Office of Policy	S
12 General Counsel	S
13 Deputy Under Secretary for Management	C
14 Deputy Commissioner, U.S. Customs and Border Protection	C
15 Deputy Administrator, Transportation Security Administration	C
16 Deputy Director, U.S. Immigration and Customs Enforcement	C
17 Deputy Director, U.S. Citizenship and Immigration Services	C
18 Director, Federal Law Enforcement Training Center	C

ANNEX C

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position		Career Status
Citizenship and Immigration Services Ombudsman		
1	Ombudsman	N
2	Deputy Director	C
3	Senior Advisor	L
4	Chief of Staff	C
5	Director of Operations	C
6	Chief of Casework	C

ANNEX D

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position

Career Status

Citizenship and Immigration Services, United States		
1	Director	S
2	Deputy Director*	C
3	Associate Director, Management Directorate	C
4	Associate Director, Refugee Asylum and International Operations Directorate	C
5	Associate Director, Service Center Operations Directorate	C
6	Associate Director, Field Operations Directorate	C
7	Director, National Benefits Center	C

ANNEX E

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position

Career Status

Civil Rights and Civil Liberties, Office for		
1	Civil Rights and Civil Liberties Officer	P
2	Deputy Officer, Programs and Compliance	C
3	Deputy Officer, Equal Employment Opportunity Programs	C
4	Executive Officer	C

ANNEX F

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

**DHS ORDERS OF SUCCESSION AND
ORDERS FOR DELEGATIONS OF AUTHORITIES**

Position		Career Status
Coast Guard, United States		
1	Commandant	M
2	Vice Commandant	M
	Deputy Commandant for Mission Support or Deputy Commandant for Operations	
3-4	in precedence of their grade	M
5-6	Other Vice Admirals in precedence of their grade	M

ANNEX G

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position

Career Status

Customs and Border Protection, United States

1	Commissioner	S
2	Deputy Commissioner*	C
3	Executive Assistant Commissioner, Office of Field Operations	C
4	Chief, U.S. Border Patrol	C
5	Executive Assistant Commissioner, Air and Marine Operations	C
6	Executive Assistant Commissioner, Trade	C
7	Executive Assistant Commissioner, Operations Support	C
8	Executive Assistant Commissioner, Enterprise Services	C

ANNEX H

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position

Career Status

Domestic Nuclear Detection Office		
1	Director	P
2	Deputy Director	C
3	Assistant Director, Assessments Directorate	C
4	Assistant Director, Operations Support Directorate	C
5	Chief of Staff	C
6	Assistant Director, Transformational and Applied Research	C

ANNEX I

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

**DHS ORDERS OF SUCCESSION AND
ORDERS FOR DELEGATIONS OF AUTHORITIES**

Position

Career Status

Executive Secretariat

1	Executive Secretary	N
2	Deputy Executive Secretary	C
3	Assistant Executive Secretary, Briefing Books/Interagency Coordination	C

ANNEX J

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position

Career Status

Federal Emergency Management Agency		
1	Administrator	S
2	Deputy Administrator*	S
3	Deputy Administrator, Protection and National Preparedness	S
4	Associate Administrator, Response and Recovery	N
5	FEMA Region IX Administrator	C
6	FEMA Region VI Administrator	C

ANNEX K

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position

Career Status

Federal Law Enforcement Training Center

1	Director	C
2	Deputy Director for Training	C
3	Deputy Director for Management	C
4	Assistant Director, Mission and Readiness Support	C
5	Assistant Director, Regional and International Training	C
6	Assistant Director, Chief Financial Officer	C
7	Assistant Director, Glynco Training	C
8	Assistant Director, Centralized Training Management	C
8	Assistant Director, Washington Operations	C
9	Assistant Director, Chief Information Officer	C
10	Chief of Staff	C

ANNEX L

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position

Career Status

General Counsel, Office of the

1	General Counsel	S
2	Principal Deputy General Counsel*	C
3	Deputy General Counsel [Senior ranking by time in position and in DHS] ¹	N
4	Deputy General Counsel [Senior ranking by time in position and in DHS]	N
5	Deputy General Counsel [Senior ranking by time in position and in DHS]	N
6	Chief of Staff	C
7	Associate General Counsel, Operations and Enforcement	C
8	Associate General Counsel, General Law	C
9	Chief Counsel, Transportation Security Administration	C
10	Chief Counsel, Federal Law Enforcement Training Center	C

¹ For the Deputy General Counsel positions identified in lines 3-5, seniority is determined by length of time in the position. In the event more than one Deputy General Counsel has the same appointment date, time in service in the Department is the second determining factor for seniority.

ANNEX M

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position

Career Status

Health Affairs, Office of

1	Assistant Secretary for Health Affairs and Chief Medical Officer	P
2	Principal Deputy Assistant Secretary and Deputy Chief Medical Officer	C
3	Associate Chief Medical Officer and Division Director, Workforce Health and Medical Support	C
4	Deputy Assistant Secretary and Division Director, Health Threats Resilience	C

M-1

Delegation # 0106
Revision # 08

ANNEX N

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position

Career Status

Immigration and Customs Enforcement, United States		
1	Assistant Secretary	S
2	Deputy Director*	C
3	Executive Associate Director, Homeland Security Investigations	C
4	Executive Associate Director, Enforcement and Removal Operations	C
5	Executive Associate Director, Management and Administration	C
6	Principal Legal Advisor	N
7	Special Agent in Charge – Denver	C
8	Field Officer Director – San Antonio	C

ANNEX O

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position

Career Status

Inspector General, Office of		
1	Inspector General	S
2	Deputy Inspector General*	C
3	Counsel to the Inspector General	C
4	Assistant Inspector General, Audits	C
5	Assistant Inspector General, Inspections	C
6	Assistant Inspector General, Emergency Management Oversight	C

ANNEX P

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position

Career Status

Intelligence and Analysis, Office of		
1	Under Secretary for Intelligence and Analysis/DHS Chief Intelligence Officer	S
2	Principal Deputy Under Secretary for Intelligence and Analysis*	C
3	Deputy Under Secretary for Intelligence Operations	C
4	Deputy Under Secretary for Mission Support	C
5	Associate Deputy Director, El Paso Intelligence Center/ Strategic Analysis Section	C

1	Under Secretary for Intelligence and Analysis/DHS Chief Intelligence Officer	S
2	Principal Deputy Under Secretary for Intelligence and Analysis*	C
3	Deputy Under Secretary for Intelligence Operations	C
4	Deputy Under Secretary for Mission Support	C
5	Associate Deputy Director, El Paso Intelligence Center/ Strategic Analysis Section	C

ANNEX Q

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position

Career Status

Legislative Affairs, Office of		
1	Assistant Secretary for Legislative Affairs	P
2	Deputy Assistant Secretary (Senate)	N
3	Deputy Assistant Secretary (House)	N
4	Chief of Staff	C
5	Director, Management Team	C
6	Director, FEMA Team	C
7	Director, Borders and Immigration	C

ANNEX R

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position

Career Status

Management Directorate

1	Under Secretary for Management	S
2	Deputy Under Secretary for Management*	C
3	Chief Financial Officer	S
4	Chief Information Officer	P
5	Chief Human Capital Officer	C
6	Chief Procurement Officer	C
7	Chief Readiness Support Officer	C
8	Chief Security Officer	C
9	Chief of Staff	C
10	Deputy Director, Federal Law Enforcement Training Center	C

ANNEX S

ISSUE DATE: 07/11/2017

APPROVAL: 07/11/2017

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position		Career Status
National Protection and Programs Directorate		
1	Under Secretary	S
2	Deputy Under Secretary for NPPD*	N
3	Assistant Secretary, Office of Infrastructure Protection	P
4	Assistant Secretary, Office of Cybersecurity and Communications	N
5	Deputy Assistant Secretary, Office of Infrastructure Protection	C
6	Deputy Assistant Secretary, Office of Cybersecurity and Communications	C
7	Director, Management	C
8	Office of Infrastructure Protection, Regional Director for Region 8	C

ANNEX T

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position		Career Status
Operations Coordination, Office of		
1	Director	C
2	Deputy Director	C
3	Director, Current Operations Division	C
4	Director, National Operations Center	C
5	Chief of Staff	C

ANNEX U

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position		Career Status
Partnership and Engagement, Office of		
1	Assistant Secretary	N
2	Assistant Secretary for State and Local Law Enforcement	N
3	Deputy Assistant Secretary, Intergovernmental Affairs	C
4	Deputy Assistant Secretary, Private Sector Office	N
5	Director of Local Affairs	C

ANNEX V

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

**DHS ORDERS OF SUCCESSION AND
ORDERS FOR DELEGATIONS OF AUTHORITIES**

Position		Career Status
Policy, Office of		
1	Assistant Secretary	S
2	Assistant Secretary for International Affairs and Chief Diplomatic Officer*	N
3	Principal Deputy Assistant Secretary	N
4	Assistant Secretary for Threat Prevention and Security Policy	N
5	Assistant Secretary for Border, Immigration, and Trade	N
6	Assistant Secretary for Cyber, Infrastructure, and Resilience	N
7	Assistant Secretary for Strategy, Plans, Analysis, and Risk	C
8	Deputy Assistant Secretary for Screening Coordination Office	C
9	Deputy Assistant Secretary for International Affairs	C

ANNEX W

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position

Career Status

Privacy Officer, Chief		
1	Chief Privacy Officer	N
2	Deputy Chief Privacy Officer	C
3	Deputy Chief FOIA Officer	C
4	Senior Director, Privacy Compliance	C
5	Chief of Staff	C

ANNEX X

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position

Career Status

Public Affairs, Office of

1	Assistant Secretary	P
2	Principal Deputy Assistant Secretary	C
3	Deputy Assistant Secretary for Media Operations/Press Secretary	N
4	Deputy Assistant Secretary for Strategic Communications	N
5	Director of Communications	N
6	Chief of Staff	C
7	Director, Incident Communications	C

ANNEX Y

ISSUE DATE: 1/19/2017

APPROVAL: 1/19/2017

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position

Career Status

Science and Technology		
1	Under Secretary	S
2	Deputy Under Secretary*	C
3	Chief of Staff	C
4	Director, Homeland Security Advanced Research Projects Agency	C
5	Director, Office of Support to the Homeland Security Enterprise and First Responders Division	C
6	Director, Capability Development Support Division	C
7	Director, Research and Development Partnerships	C
8	Director, Finance and Budget Division	C
9	Director, Administrative Support Division	C

ANNEX Z

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position

Career Status

Secret Service, United States		
1	Director	P
2	Deputy Director	C
3	Chief Operating Officer	C
4	Assistant Director - Protective Operations	C
5	Assistant Director - Investigations	C
6	Assistant Director - Government and Public Affairs	C
7	Assistant Director - Human Resources	C
8	Assistant Director - Professional Responsibility	C
9	Assistant Director - Strategic Intelligence and Information	C
10	Assistant Director - Training	C
11	Chief - Uniformed Division	C
12	Chief Counsel	C
13	Chief Technology Officer	C
14	Chief Financial Officer	C
15	Chief - Strategic Planning and Policy	C
16	Deputy Assistant Director(s) - Protective Operations	C
17	Deputy Assistant Director(s) - Investigations	C
18	Deputy Assistant Director(s) - Government and Public Affairs	C
19	Deputy Assistant Director(s) - Human Resources	C
20	Deputy Assistant Director(s) - Professional Responsibility	C
21	Deputy Assistant Director(s) - Strategic Intelligence and Information	C
22	Deputy Assistant Director(s) - Training	C
23	Deputy Assistant Director(s) - Technical Development and Mission Support	C
24	Deputy Assistant Director(s) - Strategic Planning and Policy	C
25	Special Agent in Charge - Washington	C
26	Special Agent in Charge - New York	C
27	Special Agent in Charge - Miami	C
28	Special Agent in Charge - Los Angeles	C

ANNEX AA

ISSUE DATE: 07/11/2017

APPROVAL: 07/11/2017

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position Career Status

Transportation Security Administration

1	Assistant Secretary/ Administrator	S
2	Deputy Administrator*	C
3	Chief of Staff	C
4	Chief of Operations	C
5	Assistant Administrator, Office of Security Operations	C
6	Assistant Administrator, Office of Law Enforcement/Federal Air Marshal Service	C
7	Assistant Administrator, Office of Global Strategies	C
8	Regional Director, Atlanta, Office of Security Operations	C
9	Regional Director, Dallas, Office of Security Operations	C
10	Federal Security Director, Denver International Airport	C
11	Federal Air Marshal/Supervisory Air Marshal in Charge, Los Angeles	C

ANNEX AB

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

**DESIGNATION OF FIRST ASSISTANTS FOR NON-COMPONENT HEAD PRESIDENTIAL
APPOINTEES WITH SENATE CONFIRMATION POSITIONS**

Position		Career Status
Chief Financial Officer (DHS)		
1	Chief Financial Officer	S
2	Deputy Chief Financial Officer*	C

ANNEX AC

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

**DESIGNATION OF FIRST ASSISTANTS FOR NON-COMPONENT HEAD PRESIDENTIAL
APPOINTEES WITH SENATE CONFIRMATION POSITIONS**

Position Career Status

Deputy Administrator, Federal Emergency Management Agency (FEMA)		
1	Deputy Administrator, FEMA	S
2	Deputy Administrator, Protection and National Preparedness*	S
3	Associate Administrator, Mission Support	C
4	Deputy Associate Administrator, Office of Policy and Program Analysis	C
5	Region IX Administrator	C
6	Region VI Administrator	C

ANNEX AD

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

**DESIGNATION OF FIRST ASSISTANTS FOR NON-COMPONENT HEAD PRESIDENTIAL
APPOINTEES WITH SENATE CONFIRMATION POSITIONS**

Position	Career Status
Protection and National Preparedness (FEMA)	
1 Deputy Administrator, Protection and National Preparedness	S
2 Assistant Administrator, National Preparedness Directorate*	C
3 Assistant Administrator, Grant Programs	P
4 Assistant Administrator, National Continuity Programs	N

AD-1

Delegation # 0106
Revision # 08

EXHIBIT 8

From: Office of the Secretary <OfficeoftheSecretary@HQ.DHS.GOV>
Sent: Wednesday, April 10, 2019 4:35 PM
Subject: Farewell Message from Secretary Kirstjen M. Nielsen



April 10, 2019

Farewell Message from Secretary Kirstjen M. Nielsen

As you know, I submitted my resignation to the President earlier this week. Today is my final day at the Department. For nearly two years, I've had the honor to work alongside a talented, dedicated workforce. You serve with professionalism, respect, and determination in fulfilling DHS' important missions. The commitment you make day in and out – securing the land air and sea domains, preventing terrorism, administering immigration laws, ensuring disaster resilience, safeguarding our cybersecurity landscape and infrastructure, and so much more – is awe inspiring.

Your work is vital to making every American safer, and as I leave you, know that I'll always admire what you've done to defend our way of life. Customs and Border Protection (CBP) Commissioner Kevin McAleenan will now lead DHS as your Acting Secretary. Kevin has led the Department's largest component for two years and his qualifications and experience will be instrumental in overseeing the crisis at our nation's borders. I have full confidence in Kevin's ability to carry out the DHS mission of safeguarding the American people, our homeland, and our values. Please join me in welcoming Kevin as the Acting Secretary.

To each of you I am eternally grateful for your service and could not be prouder to have served alongside you. Thank you for your devotion and sacrifice. God bless each of you and your families, and God bless this great country.

Warmest regards,

Kirstjen M. Nielsen
Secretary of Homeland Security

With honor and integrity, we will safeguard the American people, our homeland, and our values.

EXHIBIT 9

Secretary
U.S. Department of Homeland Security
Washington, DC 20528



Homeland
Security

MEMORANDUM FOR: Claire M. Grady
Under Secretary for Management and Senior Official
Performing the Duties of the Deputy Secretary

Frank DiFalco
Acting Director, Office of Operations Coordination

FROM: Kirstjen M. Nielsen
Secretary

SUBJECT: Amendment to the Order of Succession for the Office of
Strategy, Policy, and Plans

The Office of Strategy, Policy, and Plans is headed by an Under Secretary pursuant to the National Defense Authorization Act for Fiscal Year 2017 (Pub. L. No. 114-328, § 1902, 6 U.S.C. § 349).

Pursuant to Paragraph II.K of Department of Homeland Security (DHS) Delegation 00106, Revision 8.3 (DHS Orders of Succession and Delegations of Authority for Named Positions, updated October 23, 2018), I am exercising my reserved right to designate the Assistant Secretary for Strategy, Plans, Analysis, and Risk (Assistant Secretary) as the First Assistant to the Under Secretary for Strategy, Policy, and Plans (Under Secretary).

I hereby immediately designate the attached order of succession and the Assistant Secretary to serve as the First Assistant to the Under Secretary (as noted by the asterisk in Annex U of DHS Delegation 00106, Revision 8.3).

cc: John M. Mitnick, General Counsel
Chad Wolf, Chief of Staff
Chip Fulghum, Deputy Under Secretary for Management

ANNEX U
ISSUE DATE:

APPROVAL:

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position	Career Status
Strategy, Policy, & Plans, Office of	
1 Under Secretary	S
2 Assistant Secretary for Strategy, Plans, Analysis, and Risk*	N
3 Deputy Under Secretary	C
4 Assistant Secretary for International Affairs	N
5 Assistant Secretary for Threat Prevention and Security Policy	N
6 Assistant Secretary for Border, Immigration, and Trade Policy	N
7 Assistant Secretary for Cyber, Infrastructure, and Resilience Policy	N
8 Deputy Assistant Secretary for Screening Coordination Office	C
9 Deputy Assistant Secretary for International Affairs	C

EXHIBIT 10

Department of Homeland Security

Delegation Number: 0100.2

Issue Date: 06/23/2003

DELEGATION TO DEPUTY SECRETARY

I. Purpose

This is a delegation to the Deputy Secretary to fulfill responsibilities set forth in the Homeland Security Act of 2002 (the Act) and other general duties on behalf of the Secretary.

II. Delegation

By virtue of the authority vested in the Secretary of Homeland Security by law, including the Homeland Security Act of 2002, I hereby delegate to the Deputy Secretary the following responsibilities:

- A. Coordination of matters and resolution of issues among the Bureau of Customs and Border Protection (CBP), the Bureau of Immigration and Customs Enforcement (ICE), and the Bureau of Citizenship and Immigration Services (BCIS);
- B. Establishment of policies, procedures and priorities for the administration and operation of the BCIS;
- C. Oversight of the functions, personnel, assets and liabilities transferred from the Immigration and Naturalization Service to the BCIS;
- D. Oversight of the BCIS, the Office of the Citizenship and Immigration Services Ombudsman, and the Office of the Director of Shared Services;
- E. Performance of management reform duties as the Chief Operating Officer;
- F. Performance of the functions of the Secretary of Homeland Security upon the death, resignation or incapacity of the Secretary;
- G. Acting for the Secretary to sign, approve, or disapprove any proposed or final rule, regulation or related document; and
- H. Performance of any other duties the Secretary of Homeland Security may designate.

I also delegate to the Deputy Secretary the authority to provide direction and guidance for the daily operation of the Department. The Deputy Secretary shall represent the Secretary in any matter as designated by the Secretary, may exercise the authority of the Secretary, except where specifically limited by law, order, regulation or instruction of the Secretary, shall perform the functions of the Secretary as the Secretary may from time to time direct, and shall act in the capacity of the Secretary in the event of a temporary absence.

III. Re-delegation

The authorities herein delegated may be re-delegated in writing to any appropriate subordinate official.

IV. Authorities

The Homeland Security Act of 2002, P.L. 107-296; 5 U.S.C. 3345.

V. Office of Primary Interest

The Office of the Deputy Secretary is the office with primary interest in this delegation.

VI. Cancellation

Delegation Number 0100.1 is rescinded.


Secretary of Homeland Security

EXHIBIT 11

Department of Homeland Security
DHS Delegation Number: 00106
Revision Number: 08.5
Issue Date: 12/15/2016
Updated Date: 04/10/2019

DHS ORDERS OF SUCCESSION AND DELEGATIONS OF AUTHORITIES FOR NAMED POSITIONS

I. Purpose

This is a succession order for named positions and a delegation of authority for the continuity of essential functions of officials at the Department of Homeland Security (DHS) in case of absence, the inability of the incumbent to act during disasters or catastrophic emergencies, or vacancies in offices.

II. Succession Order/Delegation

A. In case of the Secretary's death, resignation, or inability to perform the functions of the Office, the orderly succession of officials is governed by Executive Order 13753, amended on December 9, 2016.

B. I hereby delegate to the officials occupying the identified positions in the order listed (Annex A), my authority to exercise the powers and perform the functions and duties of my office, to the extent not otherwise prohibited by law, in the event I am unavailable to act during a disaster or catastrophic emergency.

C. The order of succession for the named positions, other than the Office of the Secretary, are provided in Annexes B through AC.

D. I hereby delegate authority to the officials occupying the identified positions in the orders listed in Annexes B through AC to exercise the powers and perform the functions and duties of the named positions in case of death, resignation, inability to perform, absence, or inability to act during a disaster or catastrophic emergency until that condition ceases.

E. In terms of named positions in which appointment is required to be made by the President, by and with the advice and consent of the Senate (PAS), if positions are vacant as that term is used in the Federal Vacancies Reform Act of 1998, the First Assistant shall act as the incumbent until a successor is appointed, unless otherwise designated by the President. The individual serving in the position identified as the first to succeed is designated the “First Assistant” for the purposes of the Federal Vacancies Reform Act of 1998. If the First Assistant position is vacant, the next designated official in the order of succession may exercise all the powers, duties, authorities, rights, and functions authorized by law to be exercised by the incumbent, but may not perform any function or duty required by law to be performed exclusively by the office holder.

F. For all other positions that are not subject to the Federal Vacancies Reform Act of 1998, any official in the order provided for in the succession order may exercise all the powers, duties, authorities, rights, and functions authorized to be performed by the incumbent, to the extent not otherwise limited by law.

G. Only officials specifically designated in the order of succession for each of the named positions in Annexes B through AC are eligible, subject to modification in accordance with Section II.I. Unless formally appointed by the Secretary, persons appointed on an acting basis, or on some other temporary basis, are ineligible to serve as a successor; therefore, the order of succession would fall to the next designated official in the approved order of succession.

H. The prohibition on any re-delegation of powers, authorities, functions, and duties contained in Departmental Delegations, Directives, Management Directives, Instructions, Manuals, or similar internal documents is not applicable to restrict the authority of any individual who is exercising the authority of a vacant position under this Delegation. Such an individual shall, however, be bound by such Departmental Delegations, Directives, Management Directives, Instructions, Manuals, or similar internal documents, and shall not further re-delegate powers to any individual.

I. Each Annex may be updated separately. A Component Head seeks modification of his/her order of succession by forwarding a proposed updated Annex to the Office of Operations Coordination (OPS), Continuity Division and the Office of the Under Secretary for Management (MGMT), Program Manager, Delegations and Directives; Annexes are processed by MGMT, in consultation with the Office of the General Counsel (OGC), for approval of the Secretary. At a minimum, the Annex is coordinated with OGC and the White House Liaison. Where possible, Component orders of succession should be at least three positions deep and geographically dispersed.

J. The Office of the Executive Secretary, MGMT, and OPS are responsible for maintaining a current list of incumbents holding all positions identified in Annexes B through AC.

K. Nothing in this delegation is intended to limit my discretion as Secretary to depart from this delegation.


III. Authorities

A. Title 5, United States Code (U.S.C.) §§ 3345-49 (Federal Vacancies Reform Act of 1998, as amended)

B. Title 6, U.S.C., § 112 (Secretary; functions)

IV. Office of Primary Interest

OPS and MGMT is the office of primary interest for maintaining and updating the Annexes to this Delegation.



Jeh Charles Johnson
Secretary of Homeland Security

Dec 15 2016
Date

Legend

Career	C
Limited Term Appointment	L
Military Officer	M
Non-Career in the Senior Executive Service or Schedule C	N
Presidential Appointee	P
Presidential Appointee with Senate Confirmation	S
Scientific Professional	T
First Assistant pursuant to the Federal Vacancies Reform Act	*

ATTACHMENT 1

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Annex	Title	Issue Date
Annex A	Order For Delegation of Authority by the Secretary of the Department of Homeland Security	Revision 08.5, 04/10/2019
Annex B	Deputy Secretary, Office of the	Revision 08.5, 04/10/2019
Annex C	Citizenship and Immigration Service Ombudsman	Revision 06, 09/14/2016
Annex D	Citizenship and Immigration Services, United States	Revision 06, 09/14/2016
Annex E	Civil Rights and Civil Liberties, Office for	Revision 06, 09/14/2016
Annex F	Coast Guard, United States	Revision 06, 09/14/2016
Annex G	Countering Weapons of Mass Destruction Office	Revision 08.2, 05/21/2018
Annex H	Customs and Border Protection, United States	Revision 06, 09/14/2016
Annex I	Executive Secretariat	Revision 06, 09/14/2016
Annex J	Federal Emergency Management Agency	Revision 06, 09/14/2016
Annex K	Federal Law Enforcement Training Center	Revision 06, 09/14/2016
Annex L	General Counsel, Office of the	Revision 06, 09/14/2016
Annex M	Immigration and Customs Enforcement, United States	Revision 06, 09/14/2016
Annex N	Inspector General, Office of	Revision 06, 09/14/2016
Annex O	Intelligence and Analysis, Office of	Revision 06, 09/14/2016
Annex P	Legislative Affairs, Office of	Revision 06, 09/14/2016
Annex Q	Management Directorate	Revision 06, 09/14/2016
Annex R	National Protection and Programs Directorate	Revision 08, 07/11/2017
Annex S	Operations Coordination, Office of	Revision 06, 09/14/2016
Annex T	Partnership and Engagement, Office of	Revision 06, 09/14/2016
Annex U	Strategy, Policy, and Plans, Office of	Revision 08.4, 02/15/2019
Annex V	Privacy Office, Chief	Revision 06, 09/14/2016
Annex W	Public Affairs, Office of	Revision 06, 09/14/2016
Annex X	Science and Technology	Revision 07, 01/19/2017
Annex Y	Secret Service, United States	Revision 06, 09/14/2016
Annex Z	Transportation Security Administration	Revision 08.3, 10/23/2018
Annex AA	Chief Financial Officer (DHS)	Revision 06, 09/14/2016
Annex AB	Deputy Administrator, Federal Emergency Management Agency (FEMA)	Revision 06, 09/14/2016
Annex AC	Protection and National Preparedness (FEMA)	Revision 06, 09/14/2016

ANNEX A

**ORDER FOR DELEGATION OF AUTHORITY BY THE
SECRETARY OF THE DEPARTMENT OF HOMELAND
SECURITY**

Pursuant to Title 6, United States Code, Section 113(g)(2)

1. Deputy Secretary of Homeland Security
2. Under Secretary for Management
3. Commissioner of U.S. Customs and Border Protection
4. Administrator of the Federal Emergency Management Agency
5. Director of the Cybersecurity and Infrastructure Security Agency
6. Under Secretary for Science and Technology
7. Under Secretary for Intelligence and Analysis
8. Administrator of the Transportation Security Administration
9. Director of U.S. Immigration and Customs Enforcement
10. Director of U.S. Citizenship and Immigration Services
11. Under Secretary for Strategy, Policy, and Plans
12. General Counsel
13. Deputy Under Secretary for Management
14. Deputy Commissioner of U.S. Customs and Border Protection
15. Deputy Administrator of the Transportation Security Administration
16. Deputy Director of U.S. Immigration and Customs Enforcement
17. Deputy Director of U.S. Citizenship and Immigration Services
18. Director of the Federal Law Enforcement Training Centers

ANNEX B

ISSUE DATE: 04/10/2019

APPROVAL: 04/10/2019

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position	Career Status
Deputy Secretary, Office of the	
1 Deputy Secretary	S
2 Under Secretary for Management*	S
3 Administrator, Transportation Security Administration	S
4 Administrator, Federal Emergency Management Agency	S
5 Under Secretary, National Programs and Protection Directorate	S
6 Under Secretary, Science and Technology	S
7 Under Secretary, Intelligence and Analysis	S
8 Commissioner, U.S. Customs and Border Protection	S
9 Director, U.S. Immigration and Customs Enforcement	S
10 Director, U.S. Citizenship and Immigration Services	S
11 Under Secretary, Office of Strategy, Policy, and Plans	S
12 General Counsel	S
13 Deputy Under Secretary for Management	C
14 Deputy Commissioner, U.S. Customs and Border Protection	C
15 Deputy Administrator, Transportation Security Administration	C
16 Deputy Director, U.S. Immigration and Customs Enforcement	C
17 Deputy Director, U.S. Citizenship and Immigration Services	C
18 Director, Federal Law Enforcement Training Centers	C

ANNEX C

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position		Career Status
Citizenship and Immigration Services Ombudsman		
1	Ombudsman	N
2	Deputy Director	C
3	Senior Advisor	L
4	Chief of Staff	C
5	Director of Operations	C
6	Chief of Casework	C

ANNEX D

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position

Career Status

Citizenship and Immigration Services, United States		
1	Director	S
2	Deputy Director*	C
3	Associate Director, Management Directorate	C
4	Associate Director, Refugee Asylum and International Operations Directorate	C
5	Associate Director, Service Center Operations Directorate	C
6	Associate Director, Field Operations Directorate	C
7	Director, National Benefits Center	C

ANNEX E

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position

Career Status

Civil Rights and Civil Liberties, Office for		
1	Civil Rights and Civil Liberties Officer	P
2	Deputy Officer, Programs and Compliance	C
3	Deputy Officer, Equal Employment Opportunity Programs	C
4	Executive Officer	C

ANNEX F

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position		Career Status
Coast Guard, United States		
1	Commandant	M
2	Vice Commandant	M
	Deputy Commandant for Mission Support or Deputy Commandant for Operations	
3-4	in precedence of their grade	M
5-6	Other Vice Admirals in precedence of their grade	M

ANNEX G

ISSUE DATE: 05/21/2018

APPROVAL: 05/21/2018

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position

Career Status

Countering Weapons of Mass Destruction Office

1	Assistant Secretary	P
2	Deputy Assistant Secretary	C
3	Chief of Staff	C
4	Deputy Director, Domestic Nuclear Detection Office	C
5	Deputy Director, Office of Health Affairs	C

ANNEX H

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position

Career Status

Customs and Border Protection, United States		
1	Commissioner	S
2	Deputy Commissioner*	C
3	Executive Assistant Commissioner, Office of Field Operations	C
4	Chief, U.S. Border Patrol	C
5	Executive Assistant Commissioner, Air and Marine Operations	C
6	Executive Assistant Commissioner, Trade	C
7	Executive Assistant Commissioner, Operations Support	C
8	Executive Assistant Commissioner, Enterprise Services	C

ANNEX I

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

**DHS ORDERS OF SUCCESSION AND
ORDERS FOR DELEGATIONS OF AUTHORITIES**

Position

Career Status

Executive Secretariat

1	Executive Secretary	N
2	Deputy Executive Secretary	C
3	Assistant Executive Secretary, Briefing Books/Interagency Coordination	C

ANNEX J

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position

Career Status

Federal Emergency Management Agency		
1	Administrator	S
2	Deputy Administrator*	S
3	Deputy Administrator, Protection and National Preparedness	S
4	Associate Administrator, Response and Recovery	N
5	FEMA Region IX Administrator	C
6	FEMA Region VI Administrator	C

ANNEX K

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position

Career Status

Federal Law Enforcement Training Centers

1	Director	C
2	Deputy Director for Training	C
3	Deputy Director for Management	C
4	Assistant Director, Mission and Readiness Support	C
5	Assistant Director, Regional and International Training	C
6	Assistant Director, Chief Financial Officer	C
7	Assistant Director, Glynco Training	C
8	Assistant Director, Centralized Training Management	C
8	Assistant Director, Washington Operations	C
9	Assistant Director, Chief Information Officer	C
10	Chief of Staff	C

ANNEX L

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position Career Status

General Counsel, Office of the		
1	General Counsel	S
2	Principal Deputy General Counsel*	C
3	Deputy General Counsel [Senior ranking by time in position and in DHS] ¹	N
4	Deputy General Counsel [Senior ranking by time in position and in DHS]	N
5	Deputy General Counsel [Senior ranking by time in position and in DHS]	N
6	Chief of Staff	C
7	Associate General Counsel, Operations and Enforcement	C
8	Associate General Counsel, General Law	C
9	Chief Counsel, Transportation Security Administration	C
10	Chief Counsel, Federal Law Enforcement Training Center	C

¹ For the Deputy General Counsel positions identified in lines 3-5, seniority is determined by length of time in the position. In the event more than one Deputy General Counsel has the same appointment date, time in service in the Department is the second determining factor for seniority.

ANNEX M

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position

Career Status

Immigration and Customs Enforcement, United States		
1	Assistant Secretary	S
2	Deputy Director*	C
3	Executive Associate Director, Homeland Security Investigations	C
4	Executive Associate Director, Enforcement and Removal Operations	C
5	Executive Associate Director, Management and Administration	C
6	Principal Legal Advisor	N
7	Special Agent in Charge – Denver	C
8	Field Officer Director – San Antonio	C

ANNEX N

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position

Career Status

Inspector General, Office of		
1	Inspector General	S
2	Deputy Inspector General*	C
3	Counsel to the Inspector General	C
4	Assistant Inspector General, Audits	C
5	Assistant Inspector General, Inspections	C
6	Assistant Inspector General, Emergency Management Oversight	C

ANNEX O

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position

Career Status

Intelligence and Analysis, Office of		
1	Under Secretary for Intelligence and Analysis/DHS Chief Intelligence Officer	S
2	Principal Deputy Under Secretary for Intelligence and Analysis*	C
3	Deputy Under Secretary for Intelligence Operations	C
4	Deputy Under Secretary for Mission Support	C
5	Associate Deputy Director, El Paso Intelligence Center/ Strategic Analysis Section	C

ANNEX P

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position

Career Status

Legislative Affairs, Office of

1	Assistant Secretary for Legislative Affairs	P
2	Deputy Assistant Secretary (Senate)	N
3	Deputy Assistant Secretary (House)	N
4	Chief of Staff	C
5	Director, Management Team	C
6	Director, FEMA Team	C
7	Director, Borders and Immigration	C

ANNEX Q

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position

Career Status

Management Directorate

1	Under Secretary for Management	S
2	Deputy Under Secretary for Management*	C
3	Chief Financial Officer	S
4	Chief Information Officer	P
5	Chief Human Capital Officer	C
6	Chief Procurement Officer	C
7	Chief Readiness Support Officer	C
8	Chief Security Officer	C
9	Chief of Staff	C
10	Deputy Director, Federal Law Enforcement Training Center	C

ANNEX R

ISSUE DATE: 07/11/2017

APPROVAL: 07/11/2017

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position		Career Status
National Protection and Programs Directorate		
1	Under Secretary	S
2	Deputy Under Secretary for NPPD*	N
3	Assistant Secretary, Office of Infrastructure Protection	P
4	Assistant Secretary, Office of Cybersecurity and Communications	N
5	Deputy Assistant Secretary, Office of Infrastructure Protection	C
6	Deputy Assistant Secretary, Office of Cybersecurity and Communications	C
7	Director, Management	C
8	Office of Infrastructure Protection, Regional Director for Region 8	C

ANNEX S

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position		Career Status
Operations Coordination, Office of		
1	Director	C
2	Deputy Director	C
3	Director, Current Operations Division	C
4	Director, National Operations Center	C
5	Chief of Staff	C

ANNEX T

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position		Career Status
Partnership and Engagement, Office of		
1	Assistant Secretary	N
2	Assistant Secretary for State and Local Law Enforcement	N
3	Deputy Assistant Secretary, Intergovernmental Affairs	C
4	Deputy Assistant Secretary, Private Sector Office	N
5	Director of Local Affairs	C

ANNEX U

ISSUE DATE: 2/15/2019

APPROVAL: 2/15/2019

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position		Career Status
Strategy, Policy, & Plans, Office of		
1	Under Secretary	S
2	Assistant Secretary for Strategy, Plans, Analysis, and Risk*	N
3	Deputy Under Secretary	C
4	Assistant Secretary for International Affairs	N
5	Assistant Secretary for Threat Prevention and Security Policy	N
6	Assistant Secretary for Border, Immigration, and Trade	N
7	Assistant Secretary for Cyber, Infrastructure, and Resilience	N
8	Deputy Assistant Secretary for Screening Coordination Office	C
9	Deputy Assistant Secretary for International Affairs	C

ANNEX V

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position

Career Status

Privacy Officer, Chief		
1	Chief Privacy Officer	N
2	Deputy Chief Privacy Officer	C
3	Deputy Chief FOIA Officer	C
4	Senior Director, Privacy Compliance	C
5	Chief of Staff	C

ANNEX W

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position

Career Status

Public Affairs, Office of		
1	Assistant Secretary	P
2	Principal Deputy Assistant Secretary	C
3	Deputy Assistant Secretary for Media Operations/Press Secretary	N
4	Deputy Assistant Secretary for Strategic Communications	N
5	Director of Communications	N
6	Chief of Staff	C
7	Director, Incident Communications	C

ANNEX X

ISSUE DATE: 1/19/2017

APPROVAL: 1/19/2017

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position

Career Status

Science and Technology		
1	Under Secretary	S
2	Deputy Under Secretary*	C
3	Chief of Staff	C
4	Director, Homeland Security Advanced Research Projects Agency	C
5	Director, Office of Support to the Homeland Security Enterprise and First Responders Division	C
6	Director, Capability Development Support Division	C
7	Director, Research and Development Partnerships	C
8	Director, Finance and Budget Division	C
9	Director, Administrative Support Division	C

ANNEX Y

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position

Career Status

Secret Service, United States		
1	Director	P
2	Deputy Director	C
3	Chief Operating Officer	C
4	Assistant Director - Protective Operations	C
5	Assistant Director - Investigations	C
6	Assistant Director - Government and Public Affairs	C
7	Assistant Director - Human Resources	C
8	Assistant Director - Professional Responsibility	C
9	Assistant Director - Strategic Intelligence and Information	C
10	Assistant Director - Training	C
11	Chief - Uniformed Division	C
12	Chief Counsel	C
13	Chief Technology Officer	C
14	Chief Financial Officer	C
15	Chief - Strategic Planning and Policy	C
16	Deputy Assistant Director(s) - Protective Operations	C
17	Deputy Assistant Director(s) - Investigations	C
18	Deputy Assistant Director(s) - Government and Public Affairs	C
19	Deputy Assistant Director(s) - Human Resources	C
20	Deputy Assistant Director(s) - Professional Responsibility	C
21	Deputy Assistant Director(s) - Strategic Intelligence and Information	C
22	Deputy Assistant Director(s) - Training	C
23	Deputy Assistant Director(s) - Technical Development and Mission Support	C
24	Deputy Assistant Director(s) - Strategic Planning and Policy	C
25	Special Agent in Charge - Washington	C
26	Special Agent in Charge - New York	C
27	Special Agent in Charge - Miami	C
28	Special Agent in Charge - Los Angeles	C

ANNEX Z

ISSUE DATE: 10/23/2018

APPROVAL: 10/23/2018

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position	Career Status
Transportation Security Administration	
1 Administrator	S
2 Deputy Administrator	P
3 Chief of Staff	N
4 Executive Assistant Administrator, Security Operations	C
5 Executive Assistant Administrator, Operations Support	C
6 Executive Assistant Administrator, Law Enforcement/Federal Air Marshal Service	C
7 Executive Assistant Administrator, Enterprise Support	C
8 Regional Director, Atlanta, Security Operations	C
9 Regional Director, Dallas, Security Operations	C

ANNEX AA

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

**DESIGNATION OF FIRST ASSISTANTS FOR NON-COMPONENT HEAD PRESIDENTIAL
APPOINTEES WITH SENATE CONFIRMATION POSITIONS**

Position		Career Status
Chief Financial Officer (DHS)		
1	Chief Financial Officer	S
2	Deputy Chief Financial Officer*	C

ANNEX AB

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

**DESIGNATION OF FIRST ASSISTANTS FOR NON-COMPONENT HEAD PRESIDENTIAL
APPOINTEES WITH SENATE CONFIRMATION POSITIONS**

Position Career Status

**Deputy Administrator, Federal Emergency Management Agency
(FEMA)**

1	Deputy Administrator, FEMA	S
2	Deputy Administrator, Protection and National Preparedness*	S
3	Associate Administrator, Mission Support	C
4	Deputy Associate Administrator, Office of Policy and Program Analysis	C
5	Region IX Administrator	C
6	Region VI Administrator	C

ANNEX AC

ISSUE DATE: 09/14/2016

APPROVAL: 09/14/2016

**DESIGNATION OF FIRST ASSISTANTS FOR NON-COMPONENT HEAD PRESIDENTIAL
APPOINTEES WITH SENATE CONFIRMATION POSITIONS**

Position	Career Status
Protection and National Preparedness (FEMA)	
1 Deputy Administrator, Protection and National Preparedness	S
2 Assistant Administrator, National Preparedness Directorate*	C
3 Assistant Administrator, Grant Programs	P
4 Assistant Administrator, National Continuity Programs	N

EXHIBIT 12

Department of Homeland Security
DHS Delegation Number: 00106
Revision Number: 08.4
Issue Date: 12/15/2016
Updated Date: 02/15/2019

DHS ORDERS OF SUCCESSION AND DELEGATIONS OF AUTHORITIES FOR NAMED POSITIONS

I. Purpose

This is a succession order for named positions and a delegation of authority for the continuity of essential functions of officials at the Department of Homeland Security (DHS) in case of absence, the inability of the incumbent to act during disasters or catastrophic emergencies, or vacancies in offices.

II. Succession Order/Delegation

A. In case of the Secretary's death, resignation, or inability to perform the functions of the Office, the orderly succession of officials is governed by Executive Order 13753, amended on December 9, 2016.

B. I hereby delegate to the officials occupying the identified positions in the order listed (Annex A), my authority to exercise the powers and perform the functions and duties of my office, to the extent not otherwise prohibited by law, in the event I am unavailable to act during a disaster or catastrophic emergency.

C. The order of succession for the named positions, other than the Office of the Secretary, are provided in Annexes B through AC.

D. I hereby delegate authority to the officials occupying the identified positions in the orders listed in Annexes B through AC to exercise the powers and perform the functions and duties of the named positions in case of death, resignation, inability to perform, absence, or inability to act during a disaster or catastrophic emergency until that condition ceases.

E. In terms of named positions in which appointment is required to be made by the President, by and with the advice and consent of the Senate (PAS), if positions are vacant as that term is used in the Federal Vacancies Reform Act of 1998, the First Assistant shall act as the incumbent until a successor is appointed, unless otherwise designated by the President. The individual serving in the position identified as the first to succeed is designated the “First Assistant” for the purposes of the Federal Vacancies Reform Act of 1998. If the First Assistant position is vacant, the next designated official in the order of succession may exercise all the powers, duties, authorities, rights, and functions authorized by law to be exercised by the incumbent, but may not perform any function or duty required by law to be performed exclusively by the office holder.

F. For all other positions that are not subject to the Federal Vacancies Reform Act of 1998, any official in the order provided for in the succession order may exercise all the powers, duties, authorities, rights, and functions authorized to be performed by the incumbent, to the extent not otherwise limited by law.

G. Only officials specifically designated in the order of succession for each of the named positions in Annexes B through AC are eligible, subject to modification in accordance with Section II.I. Unless formally appointed by the Secretary, persons appointed on an acting basis, or on some other temporary basis, are ineligible to serve as a successor; therefore, the order of succession would fall to the next designated official in the approved order of succession.

H. The prohibition on any re-delegation of powers, authorities, functions, and duties contained in Departmental Delegations, Directives, Management Directives, Instructions, Manuals, or similar internal documents is not applicable to restrict the authority of any individual who is exercising the authority of a vacant position under this Delegation. Such an individual shall, however, be bound by such Departmental Delegations, Directives, Management Directives, Instructions, Manuals, or similar internal documents, and shall not further re-delegate powers to any individual.

I. Each Annex may be updated separately. A Component Head seeks modification of his/her order of succession by forwarding a proposed updated Annex to the Office of Operations Coordination (OPS), Continuity Division and the Office of the Under Secretary for Management (MGMT), Program Manager, Delegations and Directives; Annexes are processed by MGMT, in consultation with the Office of the General Counsel (OGC), for approval of the Secretary. At a minimum, the Annex is coordinated with OGC and the White House Liaison. Where possible, Component orders of succession should be at least three positions deep and geographically dispersed.

J. The Office of the Executive Secretary, MGMT, and OPS are responsible for maintaining a current list of incumbents holding all positions identified in Annexes B through AC.

K. Nothing in this delegation is intended to limit my discretion as Secretary to depart from this delegation.

III. Authorities

A. Title 5, United States Code (U.S.C.) §§ 3345-49 (Federal Vacancies Reform Act of 1998, as amended)

B. Title 6, U.S.C., § 112 (Secretary; functions)

IV. Office of Primary Interest

OPS and MGMT is the office of primary interest for maintaining and updating the Annexes to this Delegation.



Jeh Charles Johnson
Secretary of Homeland Security

Date

Legend

Career	C
Limited Term Appointment	L
Military Officer	M
Non-Career in the Senior Executive Service or Schedule C	N
Presidential Appointee	P
Presidential Appointee with Senate Confirmation	S
Scientific Professional	T
First Assistant pursuant to the Federal Vacancies Reform Act	*

ATTACHMENT 1

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Annex	Title	Issue Date
Annex A	Order For Delegation of Authority by the Secretary of the Department of Homeland Security	Revision 06, 12/15/2016
Annex B	Deputy Secretary, Office of the	Revision 06, 09/14/2016
Annex C	Citizenship and Immigration Service Ombudsman	Revision 06, 09/14/2016
Annex D	Citizenship and Immigration Services, United States	Revision 06, 09/14/2016
Annex E	Civil Rights and Civil Liberties, Office for	Revision 06, 09/14/2016
Annex F	Coast Guard, United States	Revision 06, 09/14/2016
Annex G	Countering Weapons of Mass Destruction Office	Revision 08.2, 05/21/2018
Annex H	Customs and Border Protection, United States	Revision 06, 09/14/2016
Annex I	Executive Secretariat	Revision 06, 09/14/2016
Annex J	Federal Emergency Management Agency	Revision 06, 09/14/2016
Annex K	Federal Law Enforcement Training Center	Revision 06, 09/14/2016
Annex L	General Counsel, Office of the	Revision 06, 09/14/2016
Annex M	Immigration and Customs Enforcement, United States	Revision 06, 09/14/2016
Annex N	Inspector General, Office of	Revision 06, 09/14/2016
Annex O	Intelligence and Analysis, Office of	Revision 06, 09/14/2016
Annex P	Legislative Affairs, Office of	Revision 06, 09/14/2016
Annex Q	Management Directorate	Revision 06, 09/14/2016
Annex R	National Protection and Programs Directorate	Revision 08, 07/11/2017
Annex S	Operations Coordination, Office of	Revision 06, 09/14/2016
Annex T	Partnership and Engagement, Office of	Revision 06, 09/14/2016
Annex U	Strategy, Policy, and Plans, Office of	Revision 08.4, 02/15/2019
Annex V	Privacy Office, Chief	Revision 06, 09/14/2016
Annex W	Public Affairs, Office of	Revision 06, 09/14/2016
Annex X	Science and Technology	Revision 07, 01/19/2017
Annex Y	Secret Service, United States	Revision 06, 09/14/2016
Annex Z	Transportation Security Administration	Revision 08.3, 10/23/2018
Annex AA	Chief Financial Officer (DHS)	Revision 06, 09/14/2016
Annex AB	Deputy Administrator, Federal Emergency Management Agency (FEMA)	Revision 06, 09/14/2016
Annex AC	Protection and National Preparedness (FEMA)	Revision 06, 09/14/2016

ANNEX A

**ORDER FOR DELEGATION OF AUTHORITY BY THE
SECRETARY OF THE DEPARTMENT OF HOMELAND
SECURITY**

Pursuant to Executive Order 13753 (December 9, 2016)

1. Deputy Secretary of Homeland Security
2. Under Secretary for Management
3. Administrator of the Federal Emergency Management Agency
4. Under Secretary for National Protection and Programs
5. Under Secretary for Science and Technology
6. Under Secretary for Intelligence and Analysis
7. Commissioner of U.S. Customs and Border Protection
8. Administrator of the Transportation Security Administration
9. Director of U.S. Immigration and Customs Enforcement
10. Director of U.S. Citizenship and Immigration Services
11. Assistant Secretary for Policy
12. General Counsel
13. Deputy Under Secretary for Management
14. Deputy Commissioner of U.S. Customs and Border Protection
15. Deputy Administrator of the Transportation Security Administration
16. Deputy Director of U.S. Immigration and Customs Enforcement
17. Deputy Director of U.S. Citizenship and Immigration Services
18. Director of the Federal Law Enforcement Training Center

ANNEX B

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position	Career Status
Deputy Secretary, Office of the	
1 Deputy Secretary	S
2 Under Secretary for Management*	S
3 Administrator, Federal Emergency Management Agency	S
4 Under Secretary, National Programs and Protection Directorate	S
5 Under Secretary, Science and Technology	S
6 Under Secretary, Intelligence and Analysis	S
7 Commissioner, U.S. Customs and Border Protection	S
8 Assistant Secretary/Administrator, Transportation Security Administration	S
9 Assistant Secretary, U.S. Immigration and Customs Enforcement	S
10 Director, U.S. Citizenship and Immigration Services	S
11 Assistant Secretary, Office of Policy	S
12 General Counsel	S
13 Deputy Under Secretary for Management	C
14 Deputy Commissioner, U.S. Customs and Border Protection	C
15 Deputy Administrator, Transportation Security Administration	C
16 Deputy Director, U.S. Immigration and Customs Enforcement	C
17 Deputy Director, U.S. Citizenship and Immigration Services	C
18 Director, Federal Law Enforcement Training Center	C

ANNEX C

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position		Career Status
Citizenship and Immigration Services Ombudsman		
1	Ombudsman	N
2	Deputy Director	C
3	Senior Advisor	L
4	Chief of Staff	C
5	Director of Operations	C
6	Chief of Casework	C

ANNEX D

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position

Career Status

Citizenship and Immigration Services, United States		
1	Director	S
2	Deputy Director*	C
3	Associate Director, Management Directorate	C
4	Associate Director, Refugee Asylum and International Operations Directorate	C
5	Associate Director, Service Center Operations Directorate	C
6	Associate Director, Field Operations Directorate	C
7	Director, National Benefits Center	C

ANNEX E

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

**DHS ORDERS OF SUCCESSION AND
ORDERS FOR DELEGATIONS OF AUTHORITIES**

Position

Career Status

Civil Rights and Civil Liberties, Office for

1	Civil Rights and Civil Liberties Officer	P
2	Deputy Officer, Programs and Compliance	C
3	Deputy Officer, Equal Employment Opportunity Programs	C
4	Executive Officer	C

ANNEX F

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position		Career Status
Coast Guard, United States		
1	Commandant	M
2	Vice Commandant	M
	Deputy Commandant for Mission Support or Deputy Commandant for Operations	
3-4	in precedence of their grade	M
5-6	Other Vice Admirals in precedence of their grade	M

ANNEX G

ISSUE DATE: 05/21/2018

APPROVAL: 05/21/2018

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position

Career Status

Countering Weapons of Mass Destruction Office		
1	Assistant Secretary	P
2	Deputy Assistant Secretary	C
3	Chief of Staff	C
4	Deputy Director, Domestic Nuclear Detection Office	C
6	Deputy Director, Office of Health Affairs	C

ANNEX H

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

**DHS ORDERS OF SUCCESSION AND
ORDERS FOR DELEGATIONS OF AUTHORITIES**

Position

Career Status

Customs and Border Protection, United States

1	Commissioner	S
2	Deputy Commissioner*	C
3	Executive Assistant Commissioner, Office of Field Operations	C
4	Chief, U.S. Border Patrol	C
5	Executive Assistant Commissioner, Air and Marine Operations	C
6	Executive Assistant Commissioner, Trade	C
7	Executive Assistant Commissioner, Operations Support	C
8	Executive Assistant Commissioner, Enterprise Services	C

H-1

Delegation # 00106
Revision # 06

ANNEX I

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

**DHS ORDERS OF SUCCESSION AND
ORDERS FOR DELEGATIONS OF AUTHORITIES**

Position

Career Status

Executive Secretariat

1	Executive Secretary	N
2	Deputy Executive Secretary	C
3	Assistant Executive Secretary, Briefing Books/Interagency Coordination	C

ANNEX J

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position

Career Status

Federal Emergency Management Agency		
1	Administrator	S
2	Deputy Administrator*	S
3	Deputy Administrator, Protection and National Preparedness	S
4	Associate Administrator, Response and Recovery	N
5	FEMA Region IX Administrator	C
6	FEMA Region VI Administrator	C

ANNEX K

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position

Career Status

Federal Law Enforcement Training Center		
1	Director	C
2	Deputy Director for Training	C
3	Deputy Director for Management	C
4	Assistant Director, Mission and Readiness Support	C
5	Assistant Director, Regional and International Training	C
6	Assistant Director, Chief Financial Officer	C
7	Assistant Director, Glynco Training	C
8	Assistant Director, Centralized Training Management	C
8	Assistant Director, Washington Operations	C
9	Assistant Director, Chief Information Officer	C
10	Chief of Staff	C

ANNEX L

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position Career Status

General Counsel, Office of the		
1	General Counsel	S
2	Principal Deputy General Counsel*	C
3	Deputy General Counsel [Senior ranking by time in position and in DHS] ¹	N
4	Deputy General Counsel [Senior ranking by time in position and in DHS]	N
5	Deputy General Counsel [Senior ranking by time in position and in DHS]	N
6	Chief of Staff	C
7	Associate General Counsel, Operations and Enforcement	C
8	Associate General Counsel, General Law	C
9	Chief Counsel, Transportation Security Administration	C
10	Chief Counsel, Federal Law Enforcement Training Center	C

¹ For the Deputy General Counsel positions identified in lines 3-5, seniority is determined by length of time in the position. In the event more than one Deputy General Counsel has the same appointment date, time in service in the Department is the second determining factor for seniority.

ANNEX M

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position

Career Status

Immigration and Customs Enforcement, United States		
1	Assistant Secretary	S
2	Deputy Director*	C
3	Executive Associate Director, Homeland Security Investigations	C
4	Executive Associate Director, Enforcement and Removal Operations	C
5	Executive Associate Director, Management and Administration	C
6	Principal Legal Advisor	N
7	Special Agent in Charge – Denver	C
8	Field Officer Director – San Antonio	C

ANNEX N

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position

Career Status

Inspector General, Office of		
1	Inspector General	S
2	Deputy Inspector General*	C
3	Counsel to the Inspector General	C
4	Assistant Inspector General, Audits	C
5	Assistant Inspector General, Inspections	C
6	Assistant Inspector General, Emergency Management Oversight	C

ANNEX O

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position

Career Status

Intelligence and Analysis, Office of		
1	Under Secretary for Intelligence and Analysis/DHS Chief Intelligence Officer	S
2	Principal Deputy Under Secretary for Intelligence and Analysis*	C
3	Deputy Under Secretary for Intelligence Operations	C
4	Deputy Under Secretary for Mission Support	C
5	Associate Deputy Director, El Paso Intelligence Center/ Strategic Analysis Section	C

1	Under Secretary for Intelligence and Analysis/DHS Chief Intelligence Officer	S
2	Principal Deputy Under Secretary for Intelligence and Analysis*	C
3	Deputy Under Secretary for Intelligence Operations	C
4	Deputy Under Secretary for Mission Support	C
5	Associate Deputy Director, El Paso Intelligence Center/ Strategic Analysis Section	C

ANNEX P

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position Career Status

Legislative Affairs, Office of		
1	Assistant Secretary for Legislative Affairs	P
2	Deputy Assistant Secretary (Senate)	N
3	Deputy Assistant Secretary (House)	N
4	Chief of Staff	C
5	Director, Management Team	C
6	Director, FEMA Team	C
7	Director, Borders and Immigration	C

ANNEX Q

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position

Career Status

Management Directorate

1	Under Secretary for Management	S
2	Deputy Under Secretary for Management*	C
3	Chief Financial Officer	S
4	Chief Information Officer	P
5	Chief Human Capital Officer	C
6	Chief Procurement Officer	C
7	Chief Readiness Support Officer	C
8	Chief Security Officer	C
9	Chief of Staff	C
10	Deputy Director, Federal Law Enforcement Training Center	C

ANNEX R

ISSUE DATE: 07/11/2017

APPROVAL: 07/11/2017

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position		Career Status
National Protection and Programs Directorate		
1	Under Secretary	S
2	Deputy Under Secretary for NPPD*	N
3	Assistant Secretary, Office of Infrastructure Protection	P
4	Assistant Secretary, Office of Cybersecurity and Communications	N
5	Deputy Assistant Secretary, Office of Infrastructure Protection	C
6	Deputy Assistant Secretary, Office of Cybersecurity and Communications	C
7	Director, Management	C
8	Office of Infrastructure Protection, Regional Director for Region 8	C

ANNEX S

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position		Career Status
Operations Coordination, Office of		
1	Director	C
2	Deputy Director	C
3	Director, Current Operations Division	C
4	Director, National Operations Center	C
5	Chief of Staff	C

ANNEX T

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position		Career Status
Partnership and Engagement, Office of		
1	Assistant Secretary	N
2	Assistant Secretary for State and Local Law Enforcement	N
3	Deputy Assistant Secretary, Intergovernmental Affairs	C
4	Deputy Assistant Secretary, Private Sector Office	N
5	Director of Local Affairs	C

ANNEX U

ISSUE DATE: 2/15/2019

APPROVAL: 2/15/2019

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position		Career Status
Strategy, Policy, & Plans, Office of		
1	Under Secretary	S
2	Assistant Secretary for Strategy, Plans, Analysis, and Risk*	N
3	Deputy Under Secretary	C
4	Assistant Secretary for International Affairs	N
5	Assistant Secretary for Threat Prevention and Security Policy	N
6	Assistant Secretary for Border, Immigration, and Trade	N
7	Assistant Secretary for Cyber, Infrastructure, and Resilience	N
8	Deputy Assistant Secretary for Screening Coordination Office	C
9	Deputy Assistant Secretary for International Affairs	C

ANNEX V

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position

Career Status

Privacy Officer, Chief		
1	Chief Privacy Officer	N
2	Deputy Chief Privacy Officer	C
3	Deputy Chief FOIA Officer	C
4	Senior Director, Privacy Compliance	C
5	Chief of Staff	C

ANNEX W

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position

Career Status

Public Affairs, Office of		
1	Assistant Secretary	P
2	Principal Deputy Assistant Secretary	C
3	Deputy Assistant Secretary for Media Operations/Press Secretary	N
4	Deputy Assistant Secretary for Strategic Communications	N
5	Director of Communications	N
6	Chief of Staff	C
7	Director, Incident Communications	C

ANNEX X

ISSUE DATE: 1/19/2017

APPROVAL: 1/19/2017

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position

Career Status

Science and Technology		
1	Under Secretary	S
2	Deputy Under Secretary*	C
3	Chief of Staff	C
4	Director, Homeland Security Advanced Research Projects Agency	C
5	Director, Office of Support to the Homeland Security Enterprise and First Responders Division	C
6	Director, Capability Development Support Division	C
7	Director, Research and Development Partnerships	C
8	Director, Finance and Budget Division	C
9	Director, Administrative Support Division	C

ANNEX Y

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position

Career Status

Secret Service, United States		
1	Director	P
2	Deputy Director	C
3	Chief Operating Officer	C
4	Assistant Director - Protective Operations	C
5	Assistant Director - Investigations	C
6	Assistant Director - Government and Public Affairs	C
7	Assistant Director - Human Resources	C
8	Assistant Director - Professional Responsibility	C
9	Assistant Director - Strategic Intelligence and Information	C
10	Assistant Director - Training	C
11	Chief - Uniformed Division	C
12	Chief Counsel	C
13	Chief Technology Officer	C
14	Chief Financial Officer	C
15	Chief - Strategic Planning and Policy	C
16	Deputy Assistant Director(s) - Protective Operations	C
17	Deputy Assistant Director(s) - Investigations	C
18	Deputy Assistant Director(s) - Government and Public Affairs	C
19	Deputy Assistant Director(s) - Human Resources	C
20	Deputy Assistant Director(s) - Professional Responsibility	C
21	Deputy Assistant Director(s) - Strategic Intelligence and Information	C
22	Deputy Assistant Director(s) - Training	C
23	Deputy Assistant Director(s) - Technical Development and Mission Support	C
24	Deputy Assistant Director(s) - Strategic Planning and Policy	C
25	Special Agent in Charge - Washington	C
26	Special Agent in Charge - New York	C
27	Special Agent in Charge - Miami	C
28	Special Agent in Charge - Los Angeles	C

ANNEX Z

ISSUE DATE: 10/23/2018

APPROVAL: 10/23/2018

DHS ORDERS OF SUCCESSION AND ORDERS FOR DELEGATIONS OF AUTHORITIES

Position	Career Status
Transportation Security Administration	
1 Administrator	S
2 Deputy Administrator	P
3 Chief of Staff	N
4 Executive Assistant Administrator, Security Operations	C
5 Executive Assistant Administrator, Operations Support	C
6 Executive Assistant Administrator, Law Enforcement/Federal Air Marshal Service	C
7 Executive Assistant Administrator, Enterprise Support	C
8 Regional Director, Atlanta, Security Operations	C
9 Regional Director, Dallas, Security Operations	C

ANNEX AA

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

**DESIGNATION OF FIRST ASSISTANTS FOR NON-COMPONENT HEAD PRESIDENTIAL
APPOINTEES WITH SENATE CONFIRMATION POSITIONS**

Position		Career Status
Chief Financial Officer (DHS)		
1	Chief Financial Officer	S
2	Deputy Chief Financial Officer*	C

ANNEX AB

ISSUE DATE: 9/14/2016

APPROVAL: 9/14/2016

**DESIGNATION OF FIRST ASSISTANTS FOR NON-COMPONENT HEAD PRESIDENTIAL
APPOINTEES WITH SENATE CONFIRMATION POSITIONS**

Position Career Status

**Deputy Administrator, Federal Emergency Management Agency
(FEMA)**

1	Deputy Administrator, FEMA	S
2	Deputy Administrator, Protection and National Preparedness*	S
3	Associate Administrator, Mission Support	C
4	Deputy Associate Administrator, Office of Policy and Program Analysis	C
5	Region IX Administrator	C
6	Region VI Administrator	C

ANNEX AC

ISSUE DATE: 09/14/2016

APPROVAL: 09/14/2016

**DESIGNATION OF FIRST ASSISTANTS FOR NON-COMPONENT HEAD PRESIDENTIAL
APPOINTEES WITH SENATE CONFIRMATION POSITIONS**

Position	Career Status
Protection and National Preparedness (FEMA)	
1 Deputy Administrator, Protection and National Preparedness	S
2 Assistant Administrator, National Preparedness Directorate*	C
3 Assistant Administrator, Grant Programs	P
4 Assistant Administrator, National Continuity Programs	N

EXHIBIT 13

Office of the General Counsel
Department of Homeland Security
Washington, DC 20528



**Homeland
Security**

APR 11 2019

The Honorable Michael R. Pence
President of the Senate
S-212, Capitol Building
Washington, DC 20510

Re: Federal Vacancies Reform Act Submissions

Dear Mr. Vice President:

On behalf of the Department, I submit forms for a *vacancy and designation of an acting officer* for positions that are covered by the Federal Vacancies Reform Act of 1998, Pub. L. No. 105-277 as codified in 5 U.S.C. § 3345 *et seq.*

Should you have any questions or otherwise require agency contact in this matter, please contact Mr. Leo Boucher at (202) 447-3623 or via email at leo.boucher@hq.dhs.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Neal J. Swartz".

Neal J. Swartz
Associate General Counsel for General Law

Attachments:

Vacancy and Designation of an acting officer, DHS - Secretary

Submission Under the Federal Vacancies Reform Act

Addressees

- ☒ President of the United States Senate ☐ Speaker of the U.S. House of Representatives ☐ Comptroller General of the United States

This Report Provides Notification of:

- ☒ Vacancy ☒ Designation of acting officer ☐ Nomination ☐ Action on nomination
☐ Change in previously submitted reported information ☐ Discontinuation of service in acting role
(date: _____)

Name of Department or Agency and Any Suborganization

U.S. Department of Homeland Security, Office of the Secretary

Vacancy Title
Secretary

Date Vacancy Began
04/10/19

Name of Acting Officer
Kevin K. McAleenan

Date Service Began
04/11/19

Authority for Acting Designation if Other Than Vacancies Act
6 U.S.C. § 113(g)(2)

Name of Nominee for Position

Date Nomination Submitted

Action on Nomination: ☐ Confirmed ☐ Rejected, withdrawn, returned

Date of Action

Agency Contact

Name and Title

Leo E. Boucher III, Asst. General Counsel, Administrative Law, General Law Division

Contact's Address

Department of Homeland Security

Contact's Phone Number
(202) 447-3623

Contact's E-Mail Address
leo.boucher@hq.dhs.gov

Submitted By

Name and Title
Neal J. Swartz, Associate General Counsel for General Law

Telephone Number
(202) 282-8377

Signature



Date
APR 11 2019

For Congressional Use Only

Committee of Jurisdiction

Date Received

For GAO Use Only

GAO Control Number